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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI`I

ILIO'ULAOKALANI COALITION, a Hawaii, nonprofit corporation;)	CIVIL NO. 04-00502 DAE BMK
NA'IMI PONO, a Hawaii unincorporated association; and)	NOTICE OF SUBSTITUTION
KIPUKA, a Hawaii unincorporated association,)	OF A PARTY; CERTIFICATE OF
)	SERVICE
Plaintiffs,)	
)	
v.)	
)	
ROBERT M. GATES, Secretary of United States Department of Defense; and FRANCIS J. HARVEY, Secretary of the United States Department of the Army,)	
)	
Defendants.)	
)	

NOTICE OF SUBSTITUTION OF PARTY

Pursuant to Fed. R. Civ. Pro. 25(d)(1), Federal Defendants hereby provide notice that Donald H. Rumsfeld, former Secretary of Defense, has been replaced by Robert M. Gates as Secretary of Defense. Mr. Gates is, therefore, substituted for Mr. Rumsfeld in the above titled action pursuant to Fed. R. Civ. P. 25(d)(1). Some of the pleadings filed in this matter have recognized this automatic substitution, however, the official caption of the case on the electronic docket does not. Thus, Defendants provide the aforementioned notice, in order to eliminate any possible confusion.

Respectfully submitted this 9th day of February, 2007.

EDWARD H. KUBO, JR. (2499)
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/s/ Thomas A. Helper
By _____
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

'ILIO'ULAOKALANI COALITION, a) CIVIL NO. 04-00502 DAE-BMK
Hawai'i nonprofit corporation;)
NA 'IMI PONO, a Hawai'i) CERTIFICATE OF SERVICE
unincorporated association;)
and KIPUKA, a Hawai'i)
unincorporated association,)
)
Plaintiffs,)
)
vs.)
)
ROBERT M. GATES, Secretary of)
Defense; and FRANCIS J.)
HARVEY, Secretary of the)
United States Department of)
the Army,)
)
Defendants.)

)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

David L. Henkin dhenkin@earthjustice.org

Isaac H. Moriwake imoriwake@earthjustice.org

Attorneys for Plaintiffs

DATED: February 9, 2007, at Honolulu, Hawaii.

/s/ Thomas A. Helper